

Mitschele, Becky

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From: Jim Garmatz <[jim@hawaiidairyfarms.com](mailto:jim@hawaiidairyfarms.com)>  
Sent: Thursday, March 20, 2014 2:46 PM  
To: [sina.pruder@doh.hawaii.gov](mailto:sina.pruder@doh.hawaii.gov); Kyle Datta; [amy@ulupono.com](mailto:amy@ulupono.com); [mclay@ulupono.com](mailto:mclay@ulupono.com); James Garmatz; Paul Matsuda; [scott.enright@hawaii.gov](mailto:scott.enright@hawaii.gov)  
Cc: Gill, Gary L.; [alec.wong@doh.hawaii.gov](mailto:alec.wong@doh.hawaii.gov); Tomomitsu, Mark S; Lum, Darryl C; [watson.okubo@doh.hawaii.gov](mailto:watson.okubo@doh.hawaii.gov); Ueunten, Gary R.; Mitschele, Becky  
Subject: Re: Clarification of a CAFO  
Attachments: NRCS Approval Letter.pdf

Sina

I have attached a copy of the approval letter from our NRCS Plan that you requested from me yesterday.

Thank You

Jim Garmatz

Hawaii Dairy Farms

Note my new email address: [jim@hawaiidairyfarms.com](mailto:jim@hawaiidairyfarms.com)

Phone: 808-212-5985

From: [Pruder, Sina L](mailto:Pruder, Sina L)

Sent: Thursday, March 20, 2014 7:48 AM

To: [Kyle Datta](mailto:Kyle Datta) ; [amy@ulupono.com](mailto:amy@ulupono.com) ; [mclay@ulupono.com](mailto:mclay@ulupono.com) ; [James Garmatz](mailto:James Garmatz) ; [Paul Matsuda](mailto:Paul Matsuda) ; [scott.enright@hawaii.gov](mailto:scott.enright@hawaii.gov)

Cc: [Gill, Gary L](mailto:Gill, Gary L) ; [Wong, Alec Y](mailto:Wong, Alec Y) ; [Tomomitsu, Mark S](mailto:Tomomitsu, Mark S) ; [Lum, Darryl C](mailto:Lum, Darryl C) ; [Okubo, Watson T](mailto:Okubo, Watson T) ; [Ueunten, Gary R](mailto:Ueunten, Gary R) ; [Mitschele, Becky](mailto:Mitschele, Becky)

Subject: Clarification of a CAFO

Hi All,

As requested, I contact Becky Mitschele, EPA's CAFO Coordinator, to clarify the definition of a CAFO and the 45 day confinement period. Based on the information that Becky provided below, the proposed dairy farm operation in Kauai would be considered a Large CAFO.

The dairy meets the definition of an AFO and because it contains more than 700 mature dairy cows, it would be considered a Large CAFO.

Should you have any questions, please feel free to contact me at 586-4294.

Thanks,  
Sina

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From: Mitschele, Becky [<mailto:Mitschele.Becky@epa.gov>]

Sent: Thursday, March 20, 2014 6:46 AM

To: Pruder, Sina L

Subject: RE: Kauai Dairy

Hi Sina,

Here is the paragraph where I was reading (from our permit writer's guidance):

The first part of the regulatory definition of an AFO means that animals must be kept on the lot or facility for a minimum of 45 days in a 12-month period. If an animal is confined for any portion of

a day, it is considered to be on the facility for a full day. For example, dairy cows that are brought in from pasture for less than an hour to be milked are counted as being confined (i.e., on the lot or facility) for the day. In addition, the same animals are not required to remain on the lot for 45 days or more for the operation to be defined as an AFO. Rather, the first part of the regulatory definition is met if some animals are fed or maintained on the lot or facility for 45 days out of any 12-month period. The 45 days do not have to be consecutive, and the 12-month period does not have to correspond to the calendar year.

Link available: [http://www.epa.gov/npdes/pubs/cafo\\_permitmanual\\_chapter2.pdf](http://www.epa.gov/npdes/pubs/cafo_permitmanual_chapter2.pdf)

See discussion on page 2-2 (bottom of page).

Thanks,  
Becky Mitschele

On detail to R9 NPDES Permits Office  
(415) 972 - 3492  
CAFO Coordinator

U.S. EPA, Office of Wastewater Management  
(202) 564 - 6418